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The Police Power—Public Policy and Constitutional Rights. By ERNST FREUND, Professor of Jurisprudence and Public Law in the University of Chicago. Chicago: Callaghan & Co., 1904. Pp. xcii+819.

Until the appearance of Professor Freund's book, the discussion of the police power was confined to two distinct classes of treatises; on the one hand, the legal textbooks intended to guide the practicing lawyer in the conduct of litigation; on the other hand, the general treatises on political science. The legal works dealing with this subject show but few differences in method of treatment. With the increase of adjudicated cases, there has been corresponding increases in the bulk of these volumes, but they have all failed to give us a broad treatment of the subject.

In the general treatises on political science we find the police power occupying a position of increasing importance. Burgess, in his work on *Political Science and Comparative Constitutional Law* makes the police power the central feature of his discussion of individual liberty.

Students of this subject have realized for some time past that the most fruitful discussion of the police power would come with the combination of the distinctly legal and the broader political methods of treatment. Dr. Freund has accomplished this difficult task with a degree of success which places us in possession of a work indispensable alike to the student of political science and to the practicing lawyer.

No other principle in constitutional law has played so important a part as the police power. Through it the courts have been able to adapt our federal and state constitutions to the changing economic and political needs of the country. It has made possible such adjustment without the necessity of constitutional amendments. The courts have furthermore used this doctrine to protect the people against the shortsightedness or extravagance of their own representative assemblies. Its most important function, however, has been to prevent the injurious assertion of private rights as against public welfare. Through its influence the courts have been able to counteract to a certain degree the strong individualistic tendencies of our American communities. In fact, the history of the police power in the United States mirrors with a considerable degree of accuracy the gradual curbing of the intense individualism

characteristic of our American communities. Dr. Freund's method of treatment makes this tendency clearly evident.

In examining any treatise on the police power, one naturally turns to the author's discussion of the quasi-public industries as a test of the author's method of treatment. In chap. 17, entitled "Business Effected with a Public Interest," Dr. Freund has given us an admirable treatment of the subject. It is to be hoped in some future edition of the work Dr. Freund will extend his discussion to include the street railways, gas and electric-light, and water services.

The appearance of this work will undoubtedly contribute much toward giving the police power a more definite place in the curriculum of our American universities. With this work in hand, interest in the police power need no longer be confined to our law schools, but can readily find place among the general courses in political science. Students of law and politics are under deep obligations to Dr. Freund for having placed them in possession of a real guide in the study of this important subject.

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L. S. ROWE.

The Negro: The Southerner's Problem. By THOMAS NELSON PAGE. New York: Charles Scribner's Sons. Pp. xii + 316.

This book is dedicated "to all those who truly wish to help solve the race problem," and it is a pleasure to commend it to all such. It is a collection of essays, some of which have been previously published, upon the relations of the negroes and the whites in the South and the solution of present difficulties. Like all that Mr. Page has written on the negro problem, these essays are characterized by a sanity of spirit and a painstaking thoroughness. Though Mr. Page is primarily a literary man, he has to a remarkable degree that openness of mind and impartiality of judgment which make up so largely the scientific attitude, and which go so far in the scientific treatment of any social question. However, his lack of scientific training leads him to make occasional blunders, as when he predicts (p. 288) that "before the end of the century there may be between sixty and eighty millions of negroes in this country."

The general trend and spirit of the book may perhaps be best shown by a few quotations:

The alleged danger of the educated negro becoming a greater menace to the white than the uneducated is a bugaboo which will not stand the test of